

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KENNETH IMHOTEP VAUGHN BEY,

Case No.: 2:21-cv-01461-APG-EJY

Plaintiff

**Order Accepting Report and
Recommendation**

v.

[ECF No. 3]

PHILP J. FAGAN, JR.,

Defendant

On August 6, 2021, Magistrate Judge Youchah recommended that I dismiss plaintiff Kenneth Bey's complaint with prejudice. ECF No. 3. Bey did not object. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Youchah's report and recommendation (ECF No. 3) is accepted and plaintiff Kenneth Bey's complaint is dismissed with prejudice. The clerk of court is instructed to enter judgment accordingly and to close this case.

DATED this 13th day of September, 2021.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE